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SUMMARY RECORD OF THE 40th MEETING

Chairman: Mr. TSHERING (Bhutan)

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The meeting was called to order at 3.30 p.m.

AGENDA ITEM 107: ADVANCEMENT OF WOMEN (continued)

Draft resolution A/C.3/50/L.21: Proposed merger of the International Research and Training Institute for the Advancement of Women and the United Nations Development Fund for Women

1. Ms. LOPEZ (Philippines), introducing draft resolution A/C.3/50/L.21 on behalf of the States Members of the United Nations that were members of the Group of 77, said that the draft resolution was an update of General Assembly resolution 49/160, dated 23 December 1994, on the proposed merger of INSTRAW and UNIFEM. The text recalled paragraph 5 of that resolution, in which the General Assembly had requested the Economic and Social Council to re-examine the issue after the Beijing Conference on Women, and reflected the fact that the Commission on the Status of Women had expressed no opinion on the matter. It referred to the Platform for Action of the Beijing Conference, which emphasized the need to strengthen all the institutional arrangements existing within the United Nations system for the advancement of women and recalled that the Platform for Action had not recommended the proposed merger of the Institute and the Fund. Accordingly the draft resolution reaffirmed the statute of the Institute, adopted by the General Assembly in its resolution 39/249, and endorsed the opinion expressed by the Joint Inspection Unit that since a vast majority of women lived in the developing world, at least one of the specific United Nations women's units should be based in a developing country. The draft resolution reaffirmed the need to provide sufficient resources to the Institute, and decided that the necessary elements did not exist to justify a merger of the Institute and Fund. The States Members of the Group of 77 hoped that the Committee would be able to adopt the draft resolution without a vote.

Draft resolution A/C.3/50/L.22: International Research and Training Institute for the Advancement of Women

2. Mr. VIDAVIRRE (Bolivia), introducing draft resolution A/C.3/50/L.22 on behalf of the States Members of the United Nations that were members of the Group of Latin American and Caribbean States, as well as Ghana, Indonesia, Kenya, Malaysia, Mongolia, Morocco and Turkey, said that the draft resolution reaffirmed the mandate of the Institute, as defined in General Assembly resolution 3520 (XXX), and emphasized its unique function as the only entity within the United Nations devoted exclusively to research and training for the integration of women in development. The draft resolution noted in that regard the recommendations which had emerged from the international conferences recently held in Cairo, Copenhagen and Beijing, in particular those contained in the Platform for Action adopted by the Fourth World Conference on Women. In the operative paragraphs of the draft resolution the General Assembly expressed its satisfaction with the report of the International Research and Training Institute for the Advancement of Women, commended the efforts of the Institute to address all levels of poverty and reiterated the importance of maintaining the level of resources devoted to independent research and training activities, which were crucial for the situation of women. The General Assembly invited Member States and intergovernmental and non-governmental organizations to

contribute through voluntary contributions to the United Nations Trust Fund for the Institute, and requested the Secretary-General to submit to it, at its fifty-second session, a report on the activities of the Institute, especially those activities related to research and training for the advancement of women. He asked all members of the Committee to give their full support to the draft resolution.

3. Ms. MURUGESAN (India) said that her delegation had joined the sponsors of the draft resolution.

Draft resolution A/C.3/50/L.23: Improvement of the status of women in the Secretariat

4. Ms. NEWELL (Secretary of the Committee) drew attention to two corrections to the English version of the text. In the final preambular paragraph, in the fourth line, the word "was" should be replaced by "is". In operative paragraph 6, in the fifth line, a comma should be inserted after the words "spouse employment".

5. Ms. WONG (Australia) introduced draft resolution A/C.3/50/L.23 on behalf of the sponsors, which had been joined by Bahamas, Ecuador, Guinea, Guinea-Bissau, Indonesia, Jamaica, Solomon Islands, Sudan, Swaziland and Tunisia. The draft resolution was one of those texts that came before the Third Committee every year, since the United Nations, now 50 years old, had never implemented the resolutions of the General Assembly on improving the status of women in its Secretariat. Accordingly, in the draft resolution, the General Assembly stated that it was disappointed that the objective it had set, namely to ensure that, by 1995, 35 per cent of posts subject to geographical distribution and 25 per cent of posts at the D-1 level and above should be held by women, had not been met, and found unacceptable the abnormally low level of representation of women in high-level posts in the Secretariat. Accordingly, after noting the efforts made by the Secretary-General to implement the strategic plan of action for the improvement of the status of women in the Secretariat (1995-2000), the draft resolution called upon the Secretary-General to fulfil the target reaffirmed by the Beijing Conference of having women hold 50 per cent of managerial and decision-making positions by the year 2000. The draft resolution urged the Secretary-General to continue his efforts to remove all forms of discrimination within the United Nations system, including against staff members with family responsibilities, and to ensure the provision, at the United Nations, of grievance mechanisms and procedures to prevent and redress sexual harassment, and strongly encouraged Member States to support the strategic plan by submitting more women candidates for posts in the Secretariat of the United Nations as well as in the specialized agencies and regional commissions. Lastly, the Secretary-General was requested to ensure that a progress report on the status of women in the Secretariat was presented to the Commission on the Status of Women at its fortieth session and to the General Assembly at its fifty-first session. She trusted that, as in previous years, the draft resolution could be adopted by consensus.

Draft resolution A/C.3/50/L.26: Traffic in women and girls

6. Ms. LOPEZ (Philippines) introduced draft resolution A/C.3/50/L.26 on behalf of the sponsors. She noted that the text was essentially an updated version of General Assembly resolution 49/166, based on the results of the major international conferences held in recent years. Those various forums had drawn attention to the danger posed to society by the traffic in persons, particularly women and children. In the draft resolution, the General Assembly acknowledged the work done by intergovernmental and non-governmental organizations in compiling information on the problem of the traffic in persons and in providing shelters for women and children who were victims of that traffic. Noting with concern the increasing number of women and girl children, and even young boys, who were victims of that heinous practice, it invited Governments to combat the scourge by adopting coordinated measures at the national and international levels, to establish institutions for the protection of the victims, and to ensure that they had the benefit of legal assistance that was linguistically and culturally accessible. In the operative part of the draft resolution, the General Assembly also invited Governments to consider the development of standard minimum rules to assist victims and facilitate their return to their home societies. It encouraged Member States to ratify the Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, and recommended that the Centre for Human Rights should include the traffic in women and girls in its programme of work, under its advisory services, with a view to providing assistance to Member States in instituting measures to prevent the practice. It requested the Commission on Human Rights to encourage the Working Group on Contemporary Forms of Slavery to continue to address the issue of the traffic in women and girls, and decided to focus the International Day for the Abolition of Slavery on the problem of the trafficking in persons, especially women and children, and to devote one meeting at its fifty-first session to consideration of the problem. Finally, the General Assembly requested the Secretary-General to submit to it, at its fifty-first session, a report on the implementation of the resolution. The sponsors of the draft resolution hoped that it could be adopted without a vote.

Draft resolution A/C.3/50/L.27: Violence against women migrant workers

7. Ms. LOPEZ (Philippines) introduced the draft resolution on behalf of its sponsors, which had been joined by Egypt. In the draft resolution, which recalled the provisions of General Assembly resolution 49/165 of 23 December 1994, the General Assembly noted with concern the grave abuses and acts of violence committed against women migrant workers from developing countries by some employers in some host countries and expressed its determination to prevent and eliminate such abuses. For that reason, it called upon States Members of the United Nations to adopt measures for the implementation of the Declaration on the Elimination of Violence against Women and all relevant measures emanating from recent world conferences and, to that end, to adopt, and periodically to review and analyse, legislation to ensure its effectiveness. It noted the need to ensure that women and girls subjected to violence had access to remedies, including compensation and indemnification. It invited the States concerned to conduct consultations to identify problem areas in the protection of women migrant workers. It also encouraged Member States to consider signing and ratifying the International Convention on the Protection of

the Rights of Migrant Workers and Members of Their Families and the Slavery Convention of 1926. In paragraph 8, it provided for the establishment of an Expert Group to submit recommendations regarding the coordination of the efforts of United Nations agencies on the issue of violence against women migrant workers, and to develop indicators as a basis for determining their situation, for submission to the General Assembly at its fifty-first session, through the Economic and Social Council. Lastly, it recommended that all relevant bodies and programmes in the United Nations system should include the question of violence perpetrated against women migrant workers among the urgent issues in their respective agendas and should submit reports thereon to the General Assembly. The Secretary-General was also requested to report to the General Assembly at its fifty-first session on the implementation of the resolution. The sponsors of the text hoped that it could be adopted by consensus.

AGENDA ITEM 112: HUMAN RIGHTS QUESTIONS (continued) (A/50/3)

(a) IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS (continued) (A/50/40, A/50/44, A/50/469, A/50/472, A/50/505, A/50/512, A/50/755)

(b) HUMAN RIGHTS QUESTIONS, INCLUDING ALTERNATIVE APPROACHES FOR IMPROVING THE EFFECTIVE ENJOYMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS (continued) (A/50/440, A/50/452, A/50/495, A/50/514, A/50/566, A/50/653, A/50/678, A/50/682, A/50/685, A/50/698, A/50/714, A/50/729, A/50/736)

(c) HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES (continued) (A/50/69-S/1995/79, A/50/71-S/1995/80, A/50/287-S/1995/575, A/50/296-S/1995/597, A/50/329, A/50/441-S/1995/801, A/50/567, A/50/568, A/50/569, A/50/661, A/50/662, A/50/663, A/50/709-S/1995/915, A/50/727-S/1995/993, A/50/734; A/C.3/50/9)

(d) COMPREHENSIVE IMPLEMENTATION OF AND FOLLOW-UP TO THE VIENNA DECLARATION AND PROGRAMME OF ACTION (continued) (A/50/670)

(e) REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR HUMAN RIGHTS (continued) (A/50/36)

8. Mr. VALENCIA (Ecuador), speaking on agenda item 112 (e), encouraged the United Nations High Commissioner for Human Rights to continue his dialogue with Governments, to urge them, in particular, to ratify the basic human rights instruments. The High Commissioner should also encourage States to withdraw any reservations which they might have made at the time of their accession to those instruments, particularly as many of the reservations had become irrelevant as a result of political and social changes in the world. Moreover, acceptance of optional communication procedures still left much to be desired, as could be seen from the situation with regard to the Optional Protocol to the International Covenant on Civil and Political Rights. States must be convinced that it was to their advantage to accept such procedures.

9. The High Commissioner had undertaken to improve coordination between the organs created under the six principal human rights instruments currently in

force. The problems common to those bodies were, on the one hand, the fact that States parties were very late in presenting their reports and, on the other, the backlog of reports which had not yet been examined. The High Commissioner would need to consider the proposed solutions and formulate recommendations to the various bodies concerned; he must also devise new procedures which would permit closer monitoring of the implementation of the decisions taken by those bodies.

10. In order to achieve universal awareness of human rights, the High Commissioner must secure the cooperation of Governments, the specialized agencies, including the United Nations Educational, Scientific and Cultural Organization (UNESCO), intergovernmental bodies and non-governmental organizations and the support of the General Assembly. In that connection, Ecuador was particularly pleased by the cooperation agreements concluded with United Nations programmes and bodies.

11. In his report, the High Commissioner gave particular attention to the right to development, which he rightly considered one of the principal human rights. He also described his contribution to the efforts to combat racism, xenophobia (particularly "ethnic cleansing") and intolerance. In addition, he noted the activities which he had carried out jointly with other authorities on behalf of the fundamental rights of women, the rights of the child, and the cultural, economic and social rights of indigenous populations.

12. Torture and cruel, inhuman or degrading treatment were still commonly practised in many countries. For that reason, the High Commissioner must continue to stress that point with the Governments concerned and encourage States to ratify the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment while also strengthening measures to prevent that practice and assist its victims.

13. In creating the post of High Commissioner for Human Rights, the General Assembly had decided that the High Commissioner should be responsible for preventing the continuation of human rights violations throughout the world and for rationalizing United Nations machinery in the field of human rights. However, while many countries had shown some improvement in that area, the Commission on Human Rights had expressed its concern at the situation which existed in 17 countries and several occupied territories. Defence of human rights had become one of the essential elements of the international community's efforts to strengthen cooperation, institutional stability and peace. In view of the magnitude of that task, it was essential that the High Commissioner and the Centre for Human Rights should be allocated the necessary human and financial resources.

14. Ms. HEVESI (Hungary), speaking on agenda item 112 (a), said that her delegation associated itself with the statement made by the delegation of Spain on behalf of the European Union, and wished to highlight certain areas of particular importance.

15. Hungary had traditionally followed with the utmost interest the meetings of the chairpersons of the human rights treaty bodies. In that regard, it concurred with the views expressed by the chairpersons of those bodies to the effect that the optional protocols to international human rights instruments

should include provisions of a preventive nature and procedures for recourse to inquiry. Recently, a number of treaty bodies had taken steps towards the elaboration of an early warning system and urgent procedures. Hungary welcomed those steps and supported the idea that the High Commissioner should avail himself of the expert knowledge and advice of the treaty bodies in the discharge of his mandate.

16. Hungary remained convinced that the Security Council should take full account in its deliberations, decisions and resolutions of States' obligations under the principal human rights instruments. It urged the treaty bodies to take all appropriate measures in response to flagrant and systematic violations of human rights, including the possibility of bringing such violations to the attention of the High Commissioner for Human Rights, the Secretary-General and the competent United Nations organs, including the Security Council.

17. Hungary was pleased by the strengthened cooperation and improved exchanges of information between the treaty bodies and the various special rapporteurs and by the fact that the chairpersons of the treaty bodies had supported the idea of increased participation by non-governmental organizations in the work of those bodies. If necessary, some of those bodies might consider amending their rules of procedure to make that possible.

18. With regard to funding, Hungary fully shared the concern expressed by many delegations at the lack of adequate financial and human resources allocated to the treaty bodies.

19. Mr. MARTINO (Permanent Observer for the Holy See), speaking on agenda item 112, said that in his address to the General Assembly on 5 October, Pope John Paul II had said that on the threshold of a new millennium mankind was witnessing an extraordinary global acceleration of the quest for freedom, which quest had its basis in the universal rights which human beings enjoyed. Throughout its history, the United Nations had promoted those rights. Human rights were universal and applied to everyone, regardless of gender, race or religion. They were best ensured when people were governed by democratic institutions where they were able to participate in development, for development was in itself a human right, as had been stated by the Second Vatican Council. Therefore, it was necessary to address social factors such as poverty, economic injustice and marginalization, which created a climate favourable to human rights violations.

20. The significance which the international community attached to human rights was reflected in the manner in which those rights were defined and implemented. In that regard, as Vatican II had stated, the Universal Declaration of Human Rights remained one of the highest expressions of the human conscience of the present time because it balanced various types of rights and gave importance to the family. Greater efforts must be made to assist parents in the exercise of their rights and responsibilities for the good of their children and of society.

21. While all human rights were, by definition, important, some of them must be given priority over others, as in the case of the right to life, which was fundamental. It was because of the extreme importance the Vatican attached to that right that Pope John Paul II had published the encyclical, Evangelium

Vitae. For that reason, the international community and each of its members must examine the way in which human rights were respected, not only in the relevant juridical instruments but also in everyday life. Difficult and often controversial issues such as abortion, infanticide and euthanasia must be honestly examined. Respect for life must extend even to criminals; they should be condemned to death only in cases of absolute necessity, in other words, when it was the only way to defend society, a situation which, as a result of improvements in the penal system, was becoming increasingly rare.

22. Safeguarding the physical integrity of every person must be accompanied by respect for freedom of thought and of religion. In that regard, the Holy See took note of the interim report of the Special Rapporteur of the Commission on Human Rights, Mr. Abdelfattah Amor, on the elimination of all forms of religious intolerance, and hoped that such reports would become an annual practice. Respect for religious values and respect for human rights went hand-in-hand. Any misuse of religion to excuse violations of human rights or to relativize such rights was unacceptable. Full respect for the religious values of recipients in all bilateral and multilateral programmes of international assistance was also a question of protection of their human rights.

23. The Holy See joined its voice to that of the Special Rapporteur, who had recommended that States should continually review possible violations of the right to freedom of religion and belief and seek to adapt their legislation to the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. The Special Rapporteur had also appropriately focused attention on the need to prevent intolerance and discrimination, hatred and violence, including violence motivated by religious extremism, and had stressed the role of education in that regard. The Holy See interpreted the Special Rapporteur's recommendation that school systems should be sheltered from any ideological interference as not precluding private schools from conveying religious values or forbidding religious instruction courses in public schools.

24. The Holy See believed that respect for human dignity must be an integral part of the solutions to the problems of the modern world and that the degree to which human dignity and rights were recognized in practice would determine whether those problems were overcome and whether future crises could be avoided.

25. Ms. SYAHRUDDIN (Indonesia) said that the expansion of United Nations activities in the field of human rights and the increase in the number of relevant bodies and mechanisms had created a need for greater coordination and rationalization in that field. There was also a need to strengthen the capacity of the Organization to assist Governments, particularly those of the developing countries, in establishing national structures for human rights in order to promote human rights in a non-political manner and on the basis of non-selectivity, impartiality and objectivity.

26. It was imperative, in that connection, that the capacity of the Centre for Human Rights should be strengthened so that it might perform its assigned task of providing advisory services and technical assistance and fulfil its coordinating role within the system. That question had been addressed at the 1993 World Conference on Human Rights. Subsequently, in its resolutions 49/194

and 49/195, the General Assembly had expressed its deep concern at the scarcity of means at the disposal of the Centre and had recommended its strengthening. It was therefore discouraging to read in the report of the High Commissioner for Human Rights (A/50/653) that the situation of the Centre in terms of financial and human resources has remained essentially unchanged, even though its restructuring might improve the situation.

27. Since it was ultimately at the national level that action to protect human rights must be taken, her delegation welcomed the assistance provided by the United Nations in connection with the Second International Workshop on National Institutions for the Promotion and Protection of Human Rights, held from 15 to 17 December 1993, and the Third International Workshop, held in Manila from 18 to 21 April 1995. It expressed the hope that the United Nations would be in a position to give the necessary support to those national institutions that requested it.

28. Her country had continued to enhance its national mechanisms and activities for the promotion and protection of human rights. As recommended by the first national workshop on human rights, held in 1991, it had established a national commission on human rights. A national plan of action on human rights was being formulated, and Indonesia had requested assistance from the Centre for Human Rights in that connection. The plan would focus on the ratification of several international treaties on human rights, the dissemination of information on human rights, human rights education and activities on such priority issues as the right to life, protection from arbitrary detention, the right to a fair trial, protection from torture and the alleviation of poverty.

29. As a country that was home to practitioners of the world's major religions, Indonesia was fully aware of the overriding importance of religious tolerance for the maintenance of peace and stability and welcomed the interim report of the Special Rapporteur of the Commission on Human Rights on the elimination of all forms of religious intolerance (A/50/440). It being a year for reflection on the world situation, her delegation considered it fitting that the Special Rapporteur had also taken stock of the progress made in that field, and it appreciated his conclusions and recommendations. While her delegation recognized the need to strengthen democracy as a means of guaranteeing the exercise of human rights, to eliminate extreme poverty and to promote the right of individuals and peoples to development, it nevertheless felt that no State should be required to accept ideas that were inconsistent with its national values or its interests. In that connection, the General Assembly, in its resolution 49/180, had reaffirmed that it was the concern solely of peoples to determine methods and to establish institutions regarding the electoral process.

30. In the context of the report of the United Nations High Commissioner for Human Rights on the implementation of the Plan of Action for the United Nations Decade for Human Rights Education (A/50/698), her country was committed to the goals of the Decade and considered education in the field of human rights an important means of preventing human rights violations. It was encouraged that the Plan of Action for the Decade envisaged the development of a programme of technical cooperation to support State initiatives in that field.

31. Her delegation welcomed the fact that the High Commissioner had emphasised the importance of the right to development in his recent statement to the Committee, and it considered the exercise of that right to be essential for the promotion and protection of human rights in general, particularly in the developing countries. In that regard, it expressed its satisfaction with the work that had been done thus far by the Working Group on the Right to Development of the Commission on Human Rights.

32. Mr. FEINER (Germany), speaking in exercise of the right of reply, said that the representative of the Sudan, in his statement at the Committee's 39th meeting, and the response of the Government of the Sudan to the interim report of the Special Rapporteur on the situation of human rights in the Sudan (A/C.3/50/10, annex) had referred to a judgement delivered on 11 September 1995 by the German Federal Constitutional Court. The role of the Constitutional Court in the matter in question had been to decide the legality of the forced repatriation of seven Sudanese nationals whose request for political asylum had been rejected by the German authorities and not to examine the human rights situation in the Sudan as a whole. The decision of the Constitutional Court could not therefore be regarded as incompatible with the report of the Special Rapporteur, for whom the German delegation reiterated its support. Germany's position with regard to the situation of human rights in the Sudan was the same as that set forth by the representative of Spain speaking on behalf of the European Union.

33. Mr. KUOL ALOR (Sudan), speaking in exercise of the right of reply, said that he would like to respond to the statement made at the Committee's 39th meeting by the representative of Spain, speaking on behalf of the European Union, and to that just made by the representative of Germany. He hoped that they had had the opportunity to read the response of the Sudanese Government to the interim report of the Special Rapporteur with care. The hasty and generalized allegations of the European Union concerning the Sudan, which had clearly been taken from the interim report, had been politically motivated. The allegations - of extrajudicial killings, forced disappearances, arbitrary arrests, slavery and slave-like practices and torture - were all based on hearsay information that had never been corroborated. The territory of the Sudan was nevertheless open to anyone who wished to go there to investigate the facts. It would have been more appropriate if the countries of the European Union, before making such accusations, had consulted the international non-governmental organizations operating throughout Sudanese territory. The members of the European Union, which claimed to have no other goal than to promote the re-establishment of peace in the Sudan, should not interfere in the internal affairs of the country. In doing so, they represented the principal obstacle to the achievement of that goal.

34. In connection with the statement made by the representative of Germany, speaking in exercise of the right of reply, concerning the decision of the German Federal Constitutional Court, the German delegation should consult the text of the decision itself. The Court had formally declared that there was no official policy in the Sudan that could be regarded as a violation of human rights, thereby justifying the repatriation of the seven Sudanese nationals. The persons in question had, moreover, returned to the Sudan and were living there in peace without being disturbed by anyone.

35. Mr. MUTHAURA (Kenya) recalled that the representative of Spain had made a statement at the previous meeting, on behalf of the European Union, expressing concern at the prison sentences passed by a Kenyan court on three Kenyans, including Koigi Wamwere. He wished to point out that Mr. Wamwere's political and ideological beliefs and his connections in the European Union did not place him or his fellow defendants above the laws of his country. They had been found guilty of an offence entailing a prison sentence under a standard procedure, after the court that had convicted them had deliberated for several months in open session.

36. The planned raid on a police station with a view to stealing firearms which had given rise to their prison sentence could not be construed as an exercise of democratic rights and should be punished. Kenya was a democratic country with a multi-party parliamentary system; since its independence it had enjoyed an unbroken history of regular parliamentary, presidential and civic elections. It therefore needed no reminder of the usefulness of a democratic system nor did it need to be told what was or was not democratic.

37. Mr. GAMBARI (Nigeria), speaking in response to the allegations of human rights violations in Nigeria proffered by members of the European Union, and by Norway in particular, said that he felt it necessary to remind the Committee that the Federal Republic of Nigeria, committed as it was to the promotion of human rights, regarded as incorrect the description of the verdict of a legally constituted tribunal on a criminal case as a violation of human rights, as some Member States attempted to portray it. It opposed any attempt to represent the execution of nine Nigerians, convicted of the murder of four of their compatriots, as a violation of human rights or as an environmental issue. No campaign to denigrate Nigeria could in any case promote democracy or the welfare of the majority of Nigerians who were most likely to become its victims. It might be recalled that many Member States applied the death penalty and that the rights of the victims should also be respected. The Nigerian authorities had also recently commuted to prison terms the death sentences handed down against some Nigerians charged with offences against State security.

38. His Government did not consider that it had incurred any breach of its obligations under existing covenants or that it had violated human rights by judging persons charged with murder and defended by legal counsel in accordance with the guarantees provided by the Constitution. It was, however, the economic sanctions which the international community proposed to impose on it which could constitute a potential violation of the fundamental human and economic rights of Nigerians. His delegation therefore invited members of the Committee to use the opportunity to promote the universal values of human rights and enhance the capacities of members to fulfil their obligations under the existing covenants and conventions.

39. Mr. AL-RASSI (Saudi Arabia) said that his delegation had been extremely surprised by the accusations made by the representative of Spain on behalf of the European Union against his country at the previous meeting. Those accusations were quite unfounded and were totally at odds with the facts. The legal system in Saudi Arabia was based on the Shariah, which was a doctrine of tolerance and respect for the rights of all citizens. If it was the intention of the representative of Spain to put pressure on the Government of Saudi Arabia

to abolish the death penalty, he wished to inform him that his efforts would be in vain and that the Kingdom of Saudi Arabia was firmly determined to continue to implement the principles of the Shariah, of which the representative of Spain had shown complete ignorance.

40. Mr. AL DOURI (Iraq) said that his delegation had not, for its part, been surprised by the statements made by the representative of Spain, since it was accustomed to politically motivated criticisms of that nature. The practices denounced by the representative of Spain on behalf of the European Union, namely, disappearances, torture, arbitrary arrests, summary executions, etc., echoed the allegations of the Special Rapporteur, who had never taken the trouble to verify the facts. The press and the mass media contained no information on those practices. Similarly, no one but the Special Rapporteur had heard of attacks by Iraq's armed forces on the southern marshes. His delegation felt no particular animosity vis-à-vis the Special Rapporteur, but vigorously contested the validity of his many statements, the sole aim of which was to cause damage to Iraq. The Special Rapporteur had omitted to mention the democratization measures taken by the Government of Iraq or the amnesties it had granted. He was careful not to mention the embargo, which was the sole cause of the current situation in Iraq. When the members of the Security Council, which had instituted the embargo, had bewailed the situation in Iraq, it was as if they were shedding tears for their victim. If the Government of Iraq had not accepted Security Council resolution 986 (1995), it was because it failed to see why it should agree to the presence in its territory of inspectors appointed by the United Nations; on the other hand, the political motive for such a measure was plain, and was an attack on the territorial integrity of Iraq in order ultimately to achieve its partition. Lastly, he refuted allegations that the Government of Iraq engaged in discriminatory practices regarding the distribution of food products, as being totally false. All sectors of the population of Iraq, including the Kurds, refugees and nationals of other Arab countries, had access to food distribution, as the humanitarian organizations working in Iraq could testify.

The meeting rose at 5.15 p.m.